

**Lower Duwamish Waterway (LDW) Roundtable Draft Meeting Summary**  
**May 29, 2019 | 6:00 PM to 8:00 PM**  
**Youngstown Cultural Arts Center: 4408 Delridge Way SW, Seattle, WA 98106**  
*Draft v. 7-7-19*

Task	Entity Responsible
Contact Elly Hale, US Environmental Protection Agency (EPA) ( <a href="mailto:Hale.Elly@epa.gov">Hale.Elly@epa.gov</a> ) to review the Design Strategy Report.	Roundtable and Caucus Members
Update the draft Roundtable Operating Procedures based on recommendations received during the meeting. Distribute the tracked changes version of the Operating Procedures to the Roundtable for review prior to the next Roundtable meeting.	Triangle Associates
Confirm Steering Committee membership using criteria.	EPA
Continue to pursue funding opportunities to compensate community member participation, as well as food and childcare.	Triangle and Roundtable members
Connect Angel Grace and Kathy Godtfredsen by email to discuss sampling questions regarding the Duwamish Yacht Club.	Triangle Associates
Take the Roundtable members' recommendations into consideration regarding a public comment period for the Explanation of Significant Differences as a result of the updated toxicity value for Benzo(a)pyrene.	EPA
Contact Elly Hale ( <a href="mailto:Hale.Elly@epa.gov">Hale.Elly@epa.gov</a> ) if there are potential sampling locations within the Upper Reach about which you have specific concerns or questions.	Roundtable and Caucus Members

### Welcome and Introductions

Elly Hale, Environmental Protection Agency (EPA) Remedial Project Manager, welcomed the group as the convener of the Roundtable. Sophie Glass, facilitator from Triangle Associates, led a round of introductions. See Attachment A for participants. Sophie reminded the group that the purpose of the Roundtable is to mitigate the effects of the Lower Duwamish Waterway (LDW) Superfund cleanup by providing a forum for affected parties to make recommendations for EPA to consider.

### Roundtable Foundations

Sophie reviewed several process related components to support the function of the Roundtable.

- Outcomes of Roundtable Participation Survey: Responses gathered from the range of stakeholders helped inform decisions about meeting logistics and content, as well as gauge interest in the Community Participation Stipend. Based on the results of the survey, meetings are preferable in the evenings in South Seattle. Childcare and refreshments will be provided (funded by Triangle's Duwamish River Opportunity Fund grant money). The survey will be redistributed periodically to ensure that meeting logistics and content continue to accommodate the participants of the meeting.
- Review of Operating Procedures:
  - o Compensating Community Participation:
    - James Rasmussen, Community Advisory Group (Duwamish River Cleanup Coalition/Technical Advisory Group), recommended that language be added to the

Operating Procedures regarding an intention to compensate community members for their participation.

- Elly noted that EPA's lawyers specified that EPA is *not* able to provide or even foster the compensation of community members for their participation in the Roundtable.
  - Alberto Rodriguez, City of Seattle Office of Sustainability, supported compensating community members but had reservations about placing responsibility to find funding on the rest of the Roundtable members.
  - Sophie noted that Triangle Associates plans to continue to seek funding through foundations and public grant opportunities.
  - Roundtable participants voted by a show of hands in favor of adding language regarding an intention to compensate community members "to the best of our abilities."
  - Julie West, Public Health Seattle King County, asked what will happen to the Roundtable if there is a gap in funding for community participation.
  - Sophie responded that Roundtable meetings are optional and that the Roundtable will be notified of a gap in funding in advance so that a conversation can be held to decide whether they want to meet as a body.
- o Role of the Steering Committee:
    - James recommended that language be added to clarify that the Steering Committee should be inclusive and consist of a balance of community and responsible parties. There were no objections.
  - o Role of the facilitator:
    - James recommended that language be added to clarify that the facilitator oversees the translation of meeting materials and provision of interpretation services. There were no objections.
    - He added that he would like to see agendas *and materials* distributed a month in advance.
    - Elly noted that distributing the agenda a month in advance is feasible. However, it is much more difficult to have materials completed and translated weeks in advance.
  - o Role of the public:
    - Alberto recommended adding language to clarify that funding for food, childcare, and a convenient meeting location will be pursued by those involved on the Roundtable "to the best of their abilities."
  - o Making recommendations:
    - James asked who ultimately gets to make the decisions on topics the Roundtable weighs in on.
    - Elly responded that as the Project Manager, she has a certain amount of discretion and makes most day-to-day project level decisions. However, the project manager is part of EPA, which has laws, policies, and guidance, and which includes many layers of management. The answer thus depends on the decision being made and on the Roundtable's recommendation.
  - o Work Plan and Topics:
    - James noted that source control is an important part of the cleanup and that he would like to see the Department of Ecology provide updates to the Roundtable in the future.

- Sophie suggested that the topic be recommended as an agenda item through the Steering Committee.
  - (b) (6), resident, recommended receiving more frequent updates on the state of the cleanup, including the Remedial Design efforts now and the construction of the remedy in the future.
  - Elly responded that she will continue to send regular updates by email.
- Steering Committee:
    - Review Steering Committee Role and Responsibilities:
      - Sophie reminded the group that the Steering Committee will coordinate with EPA to guide the work of the Roundtable, including soliciting agenda topics, drafting meeting agendas, developing Roundtable work plans, and other duties as assigned. The committee intended to support continuity and coordination amongst Roundtable members and EPA.
      - Committee membership will be approved by EPA using criteria.
    - Nominate Steering Committee Members:
      - The following Roundtable members self-nominated for a position on the Steering Committee.
      - Fisher Community: (b) (6), and (b) (6)
      - Residential Community: (b) (6)
      - Industry/Business Community: Jonathan Hall, Pat Jablonski
      - Resource: BJ Cummings
    - EPA will work with the facilitator to communicate with the self-nominated members of the Steering Committee regarding next steps.

### Technical Updates

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Sophie reviewed the roles of the various government agencies involved with LDW cleanup. She acknowledged that the cleanup is complex and that some agencies fulfill multiple roles. She then turned to Elly to provide several technical updates.

- Benzo(a)Pyrene Toxicity (BaP) Value Changes – Implications for LDW:
  - Elly referred to the “Frequently Asked Questions for the Explanation of Significant Differences” handout and shared that Benzo(a)pyrene (BaP) is a type of cancer-causing (carcinogenic) polycyclic aromatic hydrocarbon (cPAH). cPAHs are produced when carbon-containing substances, such as coal, oil, gas, wood, etc. are burned. They tend to attach to particles and often end up in soils, sediment, and some organisms. BaP and other cPAHs are targeted for cleanup in the Lower Duwamish Waterway (LDW) since they pose risks to human health. In 2017, EPA updated the risk values for BaP based on research that showed that it is less likely to cause cancer for people who contact or ingest the chemical than previously thought. BaP is the basis for estimating the cancer risk from all of the carcinogenic PAHs combined. The new information tells us that same level of human health protection can be achieved at higher concentration of cPAH in the environment. EPA will probably change the cleanup levels and action levels in the ROD. Based on what EPA knows, changes to the cleanup areas may be minor, because most areas have more than just cPAH in the sediment, and cleanup will still be required for the other contaminants of concern,

like polychlorinated biphenyls (PCBs). Ultimately, cleanup areas will be determined based on the data to be collected during the remedial design and compared to the requirements in the ROD.

- She noted that a public comment process is not required for a non-fundamental change to the final cleanup plan, known as an Explanation of Significant Difference (ESD). She asked the Roundtable whether EPA should hold a comment period for the ESD and what information would be helpful for EPA to provide the public.
  - James Rasmussen asked who will be making the decision on whether to have a public comment process for the benzopyrene ESD. Elly responded that it is EPA's decision.
  - (b) (6), Community Health Advocate (CHA), asked how a public comment process is different from informing the community, and how EPA plans to make the information available to the public. Elly responded that EPA is required to make information regarding the basis for the proposed change publicly available and to consider and respond to the comments received.
  - (b) (6), Duwamish Yacht Club, asked whether holding a public comment process would slow down the cleanup process. Elly responded that it should not slow the cleanup process, because the ESD process can happen at the same time remedial design is proceeding. She added that the public comment period is to ensure that people are heard and that there is a formal record of and response to comments.
  - (b) (6), Lafarge, asked why EPA wouldn't automatically hold a public comment process. Elly responded that for an ESD, it is not legally required and in many cases the changes in an ESD are engineering changes of little interest to the public. Julie Congdon, EPA Community Involvement Coordinator, shared that the Portland Harbor Superfund site held a public comment process for similar changes, but in that case, it was clear that the BaP change would not change cleanup areas in the ROD. For the LDW cleanup, there aren't known areas where cPAHs are the "driver" of the cleanup.
  - She added that EPA could offer a webinar to explain the change, as was done for Portland Harbor.
  - Alberto Rodriguez asked about the timeframe of the potential public meeting. Elly responded that it would likely not be until the fall. EPA has internal steps to go through for an ESD.
  - (b) (6), resident, supported a public meeting to provide the community with an opportunity to understand the ESD.
  - (b) (6), Grupo Asesor Latino (GAL), asked where community members can obtain information about the baseline data and monitoring. Elly responded that final plans and data can be found on the LDWG website or by contacting Elly Hale. The data evaluation report is not final but graphics and the draft report were shared with Roundtable (see below).
- With a show of hands, Roundtable members provided initial recommendations on whether EPA should hold a public comment period for the ESD. Recreational River Users, Non-PRP

Government, DRCC/CAG, Fishers, PRP Government, and PRP Business were in favor of a public comment process. The Non-CAG Community was not in consensus, with one voting to support and one voting against, recommending informal communication instead.

- Baseline Sampling Data Evaluation Report Update:
  - Elly reminded the Roundtable that they received maps of the outcomes of the Baseline Sampling Data Evaluation at the October 2018 meeting. They can also be found on the [Roundtable website](#). The draft Data Evaluation Report is linked through the meeting agenda and found [here](#).
  - She then referred to the “Comparing Baseline Sampling to Pre-Design Investigation” handout and briefly reviewed the difference between the baseline sampling and the upcoming Pre-Design Investigation. Baseline sampling was conducted to have a starting point for comparison as the cleanup progresses under the Record of Decision. The baseline data does not show where actions have to take place. Instead, they show current levels of contamination throughout the LDW for future comparison. In contrast, the Upper Reach Pre-Design Investigations (PDI) is conducted to better define where contaminants in LDW sediments are above action levels that require active cleanup. The data will be used to refine areas and depths for active cleanup methods, such as capping, dredging, and enhanced natural recovery (ENR).
- Pre-Design Investigation Overview:
  - Tom Wang, Anchor QEA, provided an overview the Remedial Design timeline for the Upper Reach. He shared that the Remedial Design Planning began in February 2019. The Bathymetric Survey was conducted to understand the varying water depths in the Upper Reach. The first two key deliverables are the Remedial Design Work Plan and the Pre-Design Investigation Work Plan. Both deliverables inform how the investigation and Remedial Design work will occur. Sampling will take place in several phases and will begin next year. The 100% Remedial Design for the Upper Reach is expected to be complete by 2024.
    - (b) (6), resident, asked whether an Environmental Impact Statement (EIS) was being conducted to understand the impacts. Tom responded that the ROD called for an advisory group to mitigate the impacts of the cleanup on the community. However, a formal EIS process is not required. The design includes documents that assess impacts to water quality, fish, the community, and archaeological resources, among other features.
    - James asked how the Remedial Design process characterizes the site in enough detail to know where and how deep to dredge. Elly responded that during the Remedial Investigation, over 400 chemicals are tested for, whereas during the Remedial Design phase of the investigation, tests will be focused primarily on a narrower list of the chemicals that pose the most risk (called Contaminants of Concern). The spacing and depth of samples will be set up to determine what needs to be remediated. The cost of remediation drives the need for more precise understanding of what cleanup is required where.
    - James also asked whether the Roundtable or Steering Committee will be able to recommend a review of the investigation work plan at an upcoming meeting. Elly responded that obtaining feedback from the Roundtable may be challenging depending on the timing of the meeting relative to the timing of work plans.

- The Remedial Design Work Plan and Pre-Design Investigation Work Plan will be available in mid-June. The Quality Assurance Project Plan is more detailed and may be the better document for people to give feedback on. Input on both is welcome.
  - Kathy Godtfredsen, Windward Environmental, continued the presentation and reviewed areas in which contaminants will be studied. She also shared that the Early Action Areas will continue to be monitored. She noted that the Pre-Design Investigation will be conducted in up to three phases, one in spring 2020, one in 2021, and one in 2023. Levels that trigger active cleanup (remedial action levels or “RALs”) differs in the intertidal and subtidal zones, the navigation channel, and also differ depending on the potential for natural recovery
    - (b) (6) asked how EPA is dealing with contaminated sediment, noting that the sediment at the Duwamish Yacht Club is not contaminated enough to be included in the LDW cleanup but too contaminated to be dredged and disposed of at a reasonable cost. Sophie will connect (b) (6) and Kathy by email.
    - Kathy shared that she welcomes input from Roundtable members on specific locations in the upper reach that they have concern about. Elly clarified that input should be directed to Elly by the end of June 2019.
- **Comments and Questions from Those Not Sitting at the Roundtable**Paulina Lopez, Duwamish River Cleanup Coalition/Technical Advisory Group, noted that she would like to see all materials, including PowerPoints, distributed in advance. She also hopes that the community is involved in the development of future agendas.
- (b) (6), Water Resource Inventory Area 9, asked that since an Environmental Impact Statement (EIS) is not being conducted, how does EPA plan to design sampling and cleanup action to minimize impacts on juvenile chinook salmon.
  - Elly responded that EPA complies with the Endangered Species Act and that they will be consulting with agencies on fish impacts. The construction work period takes into consideration the spawning period of chinook salmon. (Work is generally allowed during the “fish window”)
- Jeff Stern, King County, asked about the timeframe to provide input on specific locations of concern.
  - Elly responded that input would ideally be received by the end of June.
- (b) (6), Community Health Advocate (CHA), asked whether the cleanup would affect salmon runs.
  - Elly responded that EPA is not allowed to conduct cleanup work on the river during salmon spawning season, which is October through February.

### Next Steps and Wrap Up

(b) (6) recommended that Roundtable members be in touch with Elly Hale ([Hale.Elly@epa.gov](mailto:Hale.Elly@epa.gov)) regarding technical questions about the cleanup. She also encouraged participants to pursue funding for community participation.

Julie shared that the next meeting of interest to participants is the Community Open House hosted by EPA, Ecology, and DRCC on Tuesday, June 18 at the Georgetown Campus of South Seattle College. She also noted that the public comment period on the proposed cleanup plan for Boeing Plant 2 will be open this summer from June 17, 2019 through August 1, 2019.

## Attachment A: Meeting Participants

## Roundtable Members Attendance

Name	Affiliation	Caucus (Alphabetical)
James Rasmussen	Duwamish River Cleanup Coalition/Technical Advisory Group	Community Advisory Group (CAG)
(b) (6)	Grupo Asesar Latino (GAL)	Fishers (interim)
(b) (6)	Community Health Advocate (CHA)	Fishers (interim)
(b) (6)	Community Health Advocate (CHA)	Fishers (interim)
(b) (6)	Resident	Non-CAG Community
(b) (6)	Duwamish Valley Neighborhood Preservation Coalition	Non-CAG Community
Alberto Rodriguez	City of Seattle Office of Sustainability	Non-PRP Government
Julie West	Public Health Seattle King County	Non-PRP Government
Shirlee Tan	Public Health Seattle King County	Non-PRP Government
Jonathan Hall	Lafarge	PRP Business
Patrick Jablonski	General Recycling of Washington	PRP Business
Sabine Datum	TLG/South Park Marina	PRP Business
Ben Wilkinson	Washington State Department of Transportation	PRP Government
Kevin Burrell	City of Seattle Public Utilities	PRP Government
(b) (6)	Duwamish Yacht Club	Recreational River Users
(b) (6)	Duwamish Yacht Club	Recreational River Users
Dave McBride	WA Department of Health	Resource Member
Tamara Cardona	WA Department of Ecology	Resource Member
Tom Burbacher	University of Washington Superfund Research Program	Resource Member

## Roundtable Observers/Caucus Members in Attendance

Name	Affiliation (Alphabetical)
Katie Moxley	Boeing
(b) (6)	Community Health Advocate (CHA)
(b) (6)	Community Health Advocate (CHA)
(b) (6)	Community Health Advocate (CHA)
(b) (6)	Duwamish River Cleanup Coalition/Technical Advisory Group
(b) (6)	Duwamish River Cleanup Coalition/Technical Advisory Group
(b) (6)	Environmental Coalition of South Seattle (ECOSS)
Linn Gould	Erda Environmental Services
(b) (6)	Grupo Asesar Latino (GAL)
(b) (6)	Grupo Asesar Latino (GAL)
Jeff Stern	King County Wastewater Treatment Division
(b) (6)	PhD Student
(b) (6)	Port of Seattle
Sinang Lee	Public Health Seattle King County
Khanh Ho	Public Health Seattle King County

Name	Affiliation (Alphabetical)
(b) (6)	Resident
(b) (6)	Resident
(b) (6)	Resident, Puget Sound Steward
(b) (6)	Resident, recipient of a Duwamish River Opportunity Fund grant
Aaron Smith	The Law Office of Aaron M. Smith
Lisa Hayward	University of Washington Superfund Research Program
Rein Attemann	WA Environmental Council
(b) (6)	Water Resource Inventory Area 9

**Staff**

Name	Affiliation (Alphabetical)
Tom Wang	Anchor QEA
(b) (6)	Interpreter
Sophie Glass	Triangle Associates
Mishu Pham-Whipple	Triangle Associates
Elly Hale	US Environmental Protection Agency
Julie Congdon	US Environmental Protection Agency
Kathy Godfredsen	Windward Environmental